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HAYNES BEFFEL & WOLFELD LLP
P O BOX 366
HALF MOON BAY, CA 94019

EXAMINER

STEVENS, ROBERT

ART UNIT PAPER NUMBER

2176

DATE MAILED: 06/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/026,681

Applicant(s)

SULISTIO ET AL.

Examiner

Robert M Stevens

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications: amendment filed 12/9/2004 to the original application filed 12/18/2001 by Sulistio entitled "Method and Application for Generic Search Interface Across Document Types".
2. The Office withdraws the objections to the drawings and the specification raised in the First Action on the Merits (FAOM), in view of the amendment.
3. The Office withdraws the 35 USC 112 1st and 2nd paragraph rejections raised in the First Action on the Merits (FAOM), in view of the amendment.
4. The Office maintains the FAOM rejections of claims 1-14 and 16-22 under 35 USC 101, in light of the amendment.
5. The Office maintains the FAOM rejections of claims 1, 3-8, 10-16 and 18-24 under 35 USC 103(a) as being unpatentable over Probst in view of Harold.
6. The Office maintains the FAOM rejections of claims 2, 9 and 17 under 35 USC 103(a) as being unpatentable over Probst in view of Harold and further in view of XPath Spec.
7. Claims 1-24 are pending. Claims 1, 8, 15-16 and 23-24 are independent.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. **Claims 1, 3-8, 10-16 and 18-24 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Probst et al. (US Patent Application Publication No. 2003/0140034, provisionally filed Dec. 12, 2000, hereafter referred to as "Probst") in view of Elliotte Rusty Harold (XML: Extensible Markup Language, IDG Books Worldwide, Inc., Foster City, CA, (c) 1998, hereafter referred to as "Harold").

Regarding independent claim 1, Probst discloses:

A computer-implemented method of searching a plurality of self-describing, structured documents (Fig. 5 #501), said documents including documents fields (Fig. 7 #703, 704, 705 and Fig. 5 #502), the method including:
providing a graphical user interface including a document type selection filter; (Fig. 5 especially #503)
one or more document field selection filters, context sensitive to a selected document type; (Fig. 5 #502)
one or more value specification fields, context sensitive to the document fields; (Fig. 7 #705 and [0056] re: digitally encoded asset data) and
... ;
receiving the selected document type and completed value specifications (Fig. 5 #503, 504) and ... ; and
searching a subset of the self-describing, structured documents based on the completed value specifications (first sentence of [0034]) and ..., the subset including documents of the selected document type (first sentence of [0034])

However, Probst does not explicitly disclose:

*as non-displaying fields, one or more path specifications corresponding to the document fields and to the value specification fields, said path specifications identifying nodes to be tested against completed value specifications;
... and the corresponding path specifications; and
... and the corresponding path specifications, ...*

Harold, though, discloses:

*as non-displaying fields, one or more path specifications corresponding to the document fields and to the value specification fields, said path specifications identifying nodes to be tested against completed value specifications; (p. 268, paragraph below "Selection by Attribute")
... and the corresponding path specifications; (p. 268, paragraph below "Selection by Attribute") and
... and the corresponding path specifications (p. 268, paragraph below "Selection by Attribute"), ...*

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Harold for the benefit of Probst, because to do so would allow a programmer to select a particular element within a document as taught by Harold on p. 259 in the 5th paragraph disclosing that "Xpointer can refer to a particular element in a document". These references were all applicable to the same field of endeavor, i.e., structured document processing.

Regarding claim 3, which is dependent upon claim 1, Probst discloses:

wherein the self-describing, structured documents are compliant with any version of an XML standard. ([0003], discloses use of XML)

Claim 4, which depends upon claim 3, is substantially similar to claim 3 and therefore likewise rejected.

Regarding claim 5, which is dependent upon claim 1, Probst discloses:

wherein the graphical user interface is a character string compliant with any version of an HTML standard. ([0052], discloses use of HTML)

Regarding claim 6, which is dependent upon claim 3, Probst discloses:

wherein the graphical user interface is a character string compliant with any version of an HTML standard. ([0052], discloses use of HTML)

Claim 7, which depends upon claim 4, is substantially similar to claim 6 and therefore likewise rejected.

Regarding independent claim 8, Probst discloses:

A computer-implemented method of searching a plurality of self-describing, structured documents (Fig. 5 #501), said documents including documents fields (Fig. 7 #703, 704, 705 and Fig. 5 #502), the method including:
providing a graphical user interface (Fig. 5) including:
a document type selection filter; (Fig. 5 #503)
one or more document field selection filters, context sensitive to a selected document type; (Fig. 5 #502) and
one or more value specification fields, context sensitive to the document fields; (Fig. 7 #705 and [0056] re: digitally encoded asset data)
receiving the selected document type and the completed value specifications

(Fig. 5 #503, 504) ... ;

... ;
searching a subset of the self-describing, structured documents based on the completed value specifications (first sentence of [0034]) and ..., the subset including documents of the selected document type (first sentence of [0034]).

However, Probst does not explicitly disclose:

... and document field identifiers corresponding to the completed value specifications; and

looking up path specifications corresponding to the document field identifiers, said paths specifications identifying nodes to be tested against completed value specifications;

Harold, though, discloses:

... and document field identifiers corresponding to the completed value specifications; (p. 268, paragraph below "Selection by Attribute") and looking up path specifications corresponding to the document field identifiers, said paths specifications identifying nodes to be tested against completed value specifications; (p. 260, first paragraph below "Absolute Location Terms" and p. 264, first paragraph below "Relative Location Terms"), ... and the corresponding path specifications (p. 268, paragraph below "Selection by Attribute"), ...

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Harold for the benefit of Probst, because to do so would allow a programmer to select a particular element within a document as taught by Harold on p. 259 in the 5th paragraph disclosing that "Xpointer can refer to a particular element in a document". These references were all applicable to the same field of endeavor, i.e., structured document processing.

Claim 10, which is dependent upon claim 8, is substantially similar to claim 3 and therefore likewise rejected.

Claim 11, which is dependent upon claim 10, is substantially similar to claim 10 and therefore likewise rejected.

Claim 12, which is dependent upon claim 8, is substantially similar to claim 5 and therefore likewise rejected.

Claim 13, which is dependent upon claim 10, is substantially similar to claim 6 and therefore likewise rejected.

Claim 14, which is dependent upon claim 11, is substantially similar to claim 13 and therefore likewise rejected.

Regarding independent claim 15, Probst discloses:

A method of specifying where to search among a plurality of self-describing, structured documents (Fig. 5 #501), said documents having document types and including documents fields (Fig. 7 #703, 704, 705 and Fig. 5 #502), the method including:

displaying a graphical user interface including a document type selection filter; (Fig. 5 #503)

one or more document field selection filters, context sensitive to a selected document type; (Fig. 5 #502)

one or more value specification fields, context sensitive to the document fields; (Fig. 7 #705 and [0056] re: digitally encoded asset data)

... ;

receiving from a user the selected document type and the completed value specifications; (Fig. 5 #503, 504) and

transmitting to a server (Fig. 3 #201, 304) the selected document type (Fig. 5 #503) and the completed value specifications (Fig. 5 #503, 504) ...

corresponding to the completed value specifications. (Fig. 3 #301, 304, 201)

However, Probst does not explicitly disclose:

the graphical user interface further including, as non-displaying fields, one or more path specifications corresponding to the document fields and to the value specification fields, said paths specifications identifying nodes in the documents to be tested against completed value specifications;

... and the path specifications, ...

Harold, though, discloses:

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the graphical user interface further including, as non-displaying fields, one or more path specifications corresponding to the document fields and to the value specification fields, said paths specifications identifying nodes in the documents to be tested against completed value specifications; (p. 268, paragraph below "Selection by Attribute")

... and the path specifications, ... (p. 268, paragraph below "Selection by Attribute"), ...

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Harold for the benefit of Probst, because to do so would allow a programmer to select a particular element within a document as taught by Harold on p. 259 in the 5th paragraph disclosing that "Xpointer can refer to a particular element in a document". These references were all applicable to the same field of endeavor, i.e., structured document processing.

Regarding independent claim 16, Probst discloses:

*A computer-implemented graphical user interface (Fig. 5), including:
a document type selection filter; (Fig. 5 #503)
one or more document field selection filters, context sensitive to a selected document type; (Fig. 5 #502)
one or more value specification fields, context sensitive to the document fields; (Fig. 7 #705 and [0056] re: digitally encoded asset data) and*

However, Probst does not explicitly disclose:

as non-displaying fields, one or more path specifications corresponding to the document fields and to the value specification fields, said paths specifications identifying nodes of a self-describing, structured document to be tested against completed value specifications.

Harold, though, discloses:

as non-displaying fields, one or more path specifications corresponding to the document fields and to the value specification fields, said paths specifications identifying nodes of a self-describing, structured document to be tested against

completed value specifications. (p. 268, paragraph below “Selection by Attribute”), ...

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Harold for the benefit of Probst, because to do so would allow a programmer to select a particular element within a document as taught by Harold on p. 259 in the 5th paragraph disclosing that “Xpointer can refer to a particular element in a document”. These references were all applicable to the same field of endeavor, i.e., structured document processing.

Claim 18, which is dependent upon claim 16, is substantially similar to claim 3 and therefore likewise rejected.

Claim 19, which is dependent upon claim 18, is substantially similar to claim 18 and therefore likewise rejected.

Claim 20, which is dependent upon claim 16, is substantially similar to claim 5 and therefore likewise rejected.

Claim 21, which is dependent upon claim 18, is substantially similar to claim 6 and therefore likewise rejected.

Claim 22, which is dependent upon claim 19, is substantially similar to claim 21 and therefore likewise rejected.

Regarding independent claim 23, Probst discloses:

A method of providing a searchable data base of self-describing, structured documents (Fig. 5 #501, 505), including:

*loading a set of document field (Fig. 5 #503) and ... ;
indexing portions of documents corresponding to the document field paragraph [0016]) ...
providing a graphical user interface based on the set, including a document type selection filter; (Fig. 5 #503)
one or more document field selection filters, context sensitive to a selected document type; (Fig. 5 #502)
one or more value specification fields, context sensitive to the document fields; (Fig. 7 #705 and [0056] re: digitally encoded asset data) and*

However, Probst does not explicitly disclose:

*... path specification pairs, said path specifications identifying nodes of self-describing, structured documents to be indexed and searched;
... and path specification pairs; and
as non-displaying fields, one or more path specifications corresponding to the document fields and to the value specification fields, said paths specifications identifying nodes in the documents to be tested against completed value specifications.*

Harold, though, discloses:

*... path specification pairs, said path specifications identifying nodes of self-describing, structured documents to be indexed and searched; (p. 260 first paragraph under "Absolute Location Terms" p. 260 first paragraph under "Absolute Location Terms") and
indexing ... and path specification pairs; (p. 260 first paragraph under "Absolute Location Terms" p. 260 first paragraph under "Absolute Location Terms") and
as non-displaying fields, one or more path specifications corresponding to the document fields and to the value specification fields, said paths specifications identifying nodes in the documents to be tested against completed value specifications. (p. 268, paragraph below "Selection by Attribute")*

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Harold for the benefit of Probst, because to do so would allow a programmer to select a particular element within a document as taught by Harold on p. 259 in the 5th paragraph disclosing that “Xpointer can refer to a particular element in a document”. These references were all applicable to the same field of endeavor, i.e., structured document processing.

Regarding independent claim 24, Probst discloses:

A method of providing a searchable data base of self-describing, structured documents (Fig. 5 #501, 505), including:
loading a set of document type (Fig. 5 #503) and ... ;
indexing portions of documents corresponding to the document type paragraph [0016]) ...
providing a graphical user interface based on the set, including a document type selection filter; (Fig. 5 #503)
one or more document field selection filters, context sensitive to a selected document type; (Fig. 5 #502)
one or more value specification fields, context sensitive to the document fields; (Fig. 7 #705 and [0056] re: digitally encoded asset data) and

However, Probst does not explicitly disclose:

... path specification pairs, said path specifications identifying nodes of self-describing, structured documents to be indexed and searched;
... and path specification pairs; and
as non-displaying fields, one or more path specifications corresponding to the document fields and to the value specification fields, said paths specifications identifying nodes in the documents to be tested against completed value specifications.

Harold, though, discloses:

... path specification pairs, said path specifications identifying nodes of self-describing, structured documents to be indexed and searched; (p. 260 first paragraph under “Absolute Location Terms” p. 260 first paragraph under “Absolute Location Terms”) and

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indexing ... and path specification pairs; (p. 260 first paragraph under “Absolute Location Terms” p. 260 first paragraph under “Absolute Location Terms”) and

as non-displaying fields, one or more path specifications corresponding to the document fields and to the value specification fields, said paths specifications identifying nodes in the documents to be tested against completed value specifications. (p. 268, paragraph below “Selection by Attribute”)

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Harold for the benefit of Probst, because to do so would allow a programmer to select a particular element within a document as taught by Harold on p. 259 in the 5th paragraph disclosing that “Xpointer can refer to a particular element in a document”. These references were all applicable to the same field of endeavor, i.e., structured document processing.

10. **Claims 2, 9 and 17 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Probst et al. (US Patent Application Publication No. 2003/0140034, provisionally filed Dec. 12, 2000, hereafter referred to as “Probst”) in view of Elliotte Rusty Harold (XML: Extensible Markup Language, IDG Books Worldwide, Inc., Foster City, CA, (c) 1998, hereafter referred to as “Harold”) and further in view of XML Path Language (XPath) Version 1.0 (W3C Recommendation 16 November 1999, hereafter referred to as “XPath Spec.”).

Regarding claim 2, which is dependent upon claim 1, the limitations of claim 1 have been previously addressed. Probst, however, does not explicitly disclose:

wherein the path specifications are compliant with any version of an Xpath standard.

XPath Spec., though, discloses:

wherein the path specifications are compliant with any version of an Xpath standard. (p. 1, Abstract)

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of XPath Spec. for the benefit of Probst in view of Harold, because to do so would allow a programmer to address parts of an XML document as taught by XPath Spec. in the first sentence of p. 4. These references were all applicable to the same field of endeavor, i.e., distributed processing.

Claim 9, which is dependent upon claim 8, is substantially similar to claim 2 and therefore likewise rejected.

Claim 17, which is dependent upon claim 16, is substantially similar to claim 2 and therefore likewise rejected.

Response to Arguments

11. Applicant's arguments filed 12/9/2004 have been fully considered but they are not persuasive.

Applicant's remarks on pages 12-15 of the amendment concerning the drawings, specification, 35 USC 101, and 35 USC 112 1st and 2nd paragraph issues raised in the FAOM have been addressed above (in which the Office withdrew these FAOM objections).

Regarding the FAOM rejections of claims 1, 3-8, 10-16 and 18-24 under 35 USC 103(a) as being unpatentable over Probst in view of Harold, Applicant argues on pages 15-19 that the key word search is not context sensitive and that a DTD is not a GUI, and that HTML pages may not be graphical user interfaces. Additionally, Applicant argue that loading and indexing impart novelty.

However, the Office notes that the asset category of Fig. 5 provides a context for keyword searching. It's also not true that HTML pages do not provide a graphical user interface. They are displayed in browsers, i.e., the graphical user interface for Internet surfing. Additionally, loading of document types (i.e., asset categories) is clearly shown in the cited Fig. 5 of Probst. It is also implicit/inherent that the well known concept of indexing must have occurred for the implementation of the searchable digital library indicated by Fig. 5. See The American Heritage College Dictionary, 4th Edition, Houghton Mifflin Co., Boston, © 2002, p. 705. Additionally, it appears that Applicant is advocating for a restriction requirement in regards to claim 24. The Office therefore maintains the FAOM rejections of claims 1, 3-8, 10-16 and 18-24 under 35 USC 103(a) as being unpatentable over Probst in view of Harold.

Regarding the FAOM rejections of claims 2, 9 and 17 under 35 USC 103(a) as being unpatentable over Probst in view of Harold and further in view of XPath Spec, Applicant pieces together low level/well known in the art concepts and then seems to be hinting that only anticipatory references are valid for making rejections.

However, the Office has addressed Applicant's arguments regarding Probst and Harold above. There's nothing novel about employing well known standards or languages in the programming arts. It's merely a matter of obvious design choice as to what programming languages and standards one chooses to employ within any software/system development effort. The Office therefore maintains the FAOM rejections of claims 2, 9 and 17 under 35 USC 103(a) as being unpatentable over Probst in view of Harold and further in view of XPath Spec.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Non-patent Literature

The American Heritage College Dictionary, 4th Edition, Houghton Mifflin Co., Boston, © 2002, p. 705.

13. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

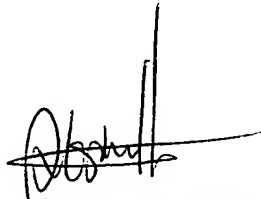
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert M Stevens whose telephone number is (571) 272-4102. The examiner can normally be reached on M-F 6:00 - 2:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven S. Hong can be reached on (571) 272-4124. The current fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Additionally, the main number for Technology Center 2100 is (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Robert M. Stevens
Reg. No. 47,972
Art Unit 2176
Date: June 15, 2005

rms



STEPHEN HONG
SUPERVISORY PATENT EXAMINER